

SENATE BILL No. 155

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-23-5-1.

Synopsis: Alcohol blended fuel underground storage tanks. Sets standards for the installation of underground storage tanks used for certain alcohol blended fuels.

Effective: Upon passage.

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January 8, 2007, read first time and referred to Committee on Energy and Environmental Affairs.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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SENATE BILL No. 155

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-23-5-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Subject to
3 section 2 of this chapter, **and except as provided in subsection (b)**, an
4 underground storage tank, whether of single or double wall
5 construction, may not be installed before the effective date of the rules
6 adopted under IC 13-23-1-2 for the purpose of storing regulated
7 substances unless:
8 (1) the tank will prevent releases due to corrosion or structural
9 failure for the operational life of the tank;
10 (2) the tank is:
11 (A) cathodically protected against corrosion;
12 (B) constructed of noncorrosive material;
13 (C) steel clad with a noncorrosive material; or
14 (D) designed to prevent the release or threatened release of
15 any stored substance; and
16 (3) the material used in the construction or lining of the tank is
17 compatible with the substance to be stored.

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(b) An underground storage tank system that contains alcohol blended fuels composed of greater than fifteen percent (15%) alcohol may be installed during the period referred to in subsection (a) if the system is otherwise in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks and ancillary equipment used in the storing or dispensing of alcohol blended fuels for purposes of:

- (1) IC 13-23-8-3(1)(A); and
- (2) all other provisions of this article.

(c) Owners and operators of underground storage tank systems that store, carry, or dispense alcohol blended fuels composed of greater than fifteen percent (15%) alcohol that comply with subsection (b) are considered to meet the standards of:

- (1) compatibility under subsection (a)(3); and
- (2) compliance for purposes of:
 - (A) IC 13-23-8-3; and
 - (B) all other provisions of this article.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) An underground storage tank system that contains fuel composed of greater than fifteen percent (15%) alcohol is considered to comply with IC 13-23-5-1(b), as added by this act, if either of the following applies:

- (1) The system predates the effective date of this act.
- (2) The system predates the solid waste management board's adoption after the effective date of this act of any additional rules concerning technical and safety requirements for storing and dispensing alcohol blended fuel.

(b) Replacement tanks or ancillary equipment installed in existing underground storage tank systems storing or dispensing alcohol blended fuels must meet the standards contained in additional rules adopted by the solid waste management board as described in subsection (a)(2) only if the installation occurs after the adoption of those rules.

SECTION 3. An emergency is declared for this act.

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